

Congress of the United States
Washington, DC 20515

October 17, 2013
The Honorable Mignon Clyburn
Acting Chairwoman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

1038

Re: Concerning the government shutdown's impact on the low-power FM filing window MM Docket No. 99-25 – Creation of a Low Power Radio Service

Dear Chairwoman Clyburn:

We commend you and your colleagues at the Federal Communications Commission (FCC) in implementing the Local Community Radio Act. Guiding this bill through the legislative process was a task that took many years, but one that we were honored to finally accomplish in 2010, with the President signing it into law in January 2011. We are thrilled with the progress the Commission has made thus far in adopting final rules that will allow communities to have a local voice on the FM dial.

The task that remains for the Commission is to process license applications efficiently and in accordance with its own rules and the spirit of the law. However, the shutdown of the federal government has presented numerous problems for potential low power FM applicants. Most importantly, applicants are completely unable to access the online application form. Additionally, our constituents who are interested in applying have last-minute technical questions regarding their applications. And some online resources hosted by the FCC and other agencies can be critical to the application, including height above average terrain (HAAT) calculators, tower information, antenna registration, and topographical data. Being unable to use these resources has made it logistically impossible to apply for licenses, and to receive definitive answers to any inquiries.

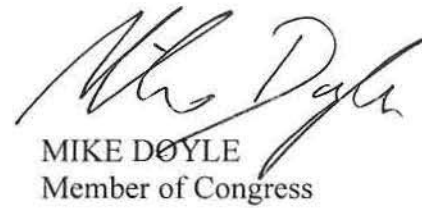
The original window for license applications was supposed to run from October 14, 2013 to October 29, 2013. Potential applicants have been unable to submit applications during the first three days of the application window. And they have been completely unable to talk to anyone at the FCC or consult the website for over two weeks now. Given these circumstances, we urge the FCC to delay the window so that applicants have time to use FCC resources prior to the beginning of the two-week application window. We would urge that the first day of the application window be delayed one week plus the number of days the federal government is shut down. We believe applicants need to have a meaningful chance to clear up ambiguities and questions they have in order for this process to work.

Thank you again for your excellent work thus far to open the FM dial to low-power radio stations. Our local communities will truly benefit from your work, and we look forward to seeing a positive resolution to the issues the shutdown has raised.

Sincerely,



LEE TERRY
Member of Congress



MIKE DOYLE
Member of Congress



Mignon L. Clyburn
Commissioner

FEDERAL COMMUNICATIONS COMMISSION

November 21, 2013

The Honorable Lee Terry
U.S. House of Representatives
2331 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Terry:

Thank you for your letter expressing concern about the filing window for new low power FM (LPFM) stations. As you suggest, the government shutdown could have caused a number of difficulties for prospective LPFM licensees, and the Commission is taking steps to minimize the impact as much as possible.

Most importantly, the Commission began accepting LPFM applications on October 17th, the date the government reopened. The Commission's Media Bureau then released a Public Notice on October 18, 2013, extending the LPFM filing window from the originally scheduled close of October 29 until November 14, 2013, making the total filing window twenty-nine calendar days instead of the original fifteen calendar days. In the same Public Notice, the Bureau announced that the Webinar delayed by the shutdown had been rescheduled for October 24.

The Commission recognizes that providers of LPFM service generally lack the resources of full power broadcasters. In addition to outreach such as the rescheduled webinar, the Commission has taken actions in its *Sixth Order on Reconsideration*, released October 17, 2013, that will provide clarification of the LPFM rules for entities preparing for the LPFM filing window. I hope that these steps will help to ensure a successful filing window for this very important community service.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mignon L. Clyburn", is written over a horizontal line.

Mignon L. Clyburn

Good news
to share!



FEDERAL COMMUNICATIONS COMMISSION

November 21, 2013

Mignon L. Clyburn
Commissioner

The Honorable Mike Doyle
U.S. House of Representatives
401 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Doyle:

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Mignon L. Clyburn

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